

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,)	
)	
)	
v.)	CRIMINAL ACTION
)	NO. 05-40006-FDS
HERIBERTO RODRIGUEZ,)	
Defendant,)	

FINAL STATUS REPORT
April 12, 2006

HILLMAN, M.J.

The following is a Final Status Report to Saylor, J. to whom this case is assigned:

1. Discovery

At the previous status conference, the Court heard arguments on the Defendant's Motion for Exculpatory Evidence Regarding the Police Officers. Both parties requested additional time to present the Court with written memoranda supporting their positions. The Defendant was given until March 13, 2006 to file his supplemental materials and the Government until April 3, 2006. Neither party chose to submit further materials and the Defendant waived that motion at today's hearing. Accordingly, the parties reported that the discovery was complete.

2. Trial

The parties have represented that the case will be tried and that it will take approximately one week of trial time, assuming that the trial sessions are conducted from 9:00 a.m. until 1:00 p.m.

The Defendant does not need the services of the interpreter and Defendant represents that he will not be presenting any evidence of alibi or lack of criminal responsibility. Accordingly, this case is returned to Judge Saylor for a pretrial conference.

2. Excludable Time

At the request of the Government and without objection from Mr. Rodriguez's counsel, I am excluding from the Speedy Trial Act, the period from April 11, 2006 (date of the final status conference) to the date of the pretrial conference.

/s/Timothy S. Hillman
TIMOTHY S. HILLMAN
MAGISTRATE JUDGE